

233531

DEPT. OF TRANSPORTATION  
DOCKETS

2003 FEB 21 A 11: 16

**BOMBARDIER**  
**AEROSPACE**



DFW Customer Training Center  
2929 W. Airfield Drive  
DFW Airport, TX 75261

20 February, 2003

Docket Management System  
United States Department of Transportation  
Room Plaza 401  
400 Seventh Street, SW  
Washington DC 20590-0001

FAA-02-12461-43

Re: Docket Number FAA-2002-12461, FAR Part 60, Flight Simulation Device Initial and Continuing Qualification and Use, NPRM

To whom it May Concern:

I am writing to submit comments regarding the subject Docket Number per directions listed in the NPRM dated 25 September, 2002.

As a member and participant on the ATA working group and the FAA Simulator Technical Issues Group (STIG), Bombardier Business Aircraft Customer Training wholly supports and subscribes to the comments provided by the ATA in their letter dated 19 February, 2003, again in reference to the subject Docket Number and associated NPRM. This letter has been attached for reference.

Although Bombardier understands the need for the FAA to revise the format of the information currently included in the FAA Advisory Circular (FAA AC 120-40B) toward a more formal regulatory environment, the proposed approach is not in keeping with the development that has occurred over the last few decades between industry and the FAA National Simulator Program.

Consequently, we specifically support the position in the attached letter from the ATA which requests the withdrawal of the NPRM and the formulation of a joint FAA – industry working group to develop the substance of a new proposed rule.

Please do not hesitate to contact the undersigned if there are any questions.

Sincerely,

Carl Lapiska  
Manager, Engineering  
Bombardier Business Aircraft Customer Training

Attachment: ATA letter Dated 19 February, 2003



AIR TRANSPORT ASSOCIATION

February 19, 2003

Mr. Nicholas Sabatini  
Associate Administrator for Regulation and Certification, AVR-1  
FEDERAL AVIATION ADMINISTRATION  
800 Independence Ave, SW  
Washington, DC 20591

Reference: Docket Number FAA-2002-12461, FAR Part 60, Flight Simulation Device Initial and Continuing Qualification and Use, Notice of Proposed Rulemaking (NPRM)

Dear Mr. Sabatini: *Nick:*

Member airlines of the Air Transport Association of America, Inc. (ATA) fundamentally support the Federal Aviation Administration (FAA) efforts to establish a new, separate rule for the initial and continuing qualification of Flight Simulation Devices (FSD). Industry review of the Notice of Proposed Rulemaking (the NPRM) published in the Federal Register on September 25, 2002 has been coordinated through ATA's Training Committee and the Simulator Technical Issues Group (STIG). The STIG was formed in 1992 as a forum for resolving simulator issues with representation from all interested parties, including manufacturers, vendors, operators and regulators.

We write to request the immediate withdrawal of the NPRM and the formation of an industry-government advisory committee to develop a new proposed rule. Our review has revealed fundamental and significant policy and implementation problems that warrant immediate consideration by FAA. In addition, the NPRM's cost analysis is based on questionable and/or incorrect assumptions. Finally, we believe that withdrawing the NPRM immediately rather than waiting for the close of the comment period would serve all interested parties and the public interest by conserving scarce government and private sector resources.

We believe that the technical nature of the issues associated with developing initial and continuing qualification requirements are well suited for this type of collaborative process. Further, the absence of a pressing safety issue makes this topic appropriate for an ARAC or ARC initiative.

In support of our request, we note the following:

- If published as currently written, the NPRM would eliminate the use of a significant number of simulators until they could be qualified or replaced. In turn, this would force some training back to aircraft operations, which FAA and industry agree is not the preferred training method because of safety and cost implications. Indeed, this result would increase implementation costs significantly.

■

AIR TRANSPORT ASSOCIATION OF AMERICA, INC.

1301 PENNSYLVANIA AVENUE, N.W. SUITE 1100 WASHINGTON, DC 20004-1701  
202 626-4300 [www.airlines.org](http://www.airlines.org)

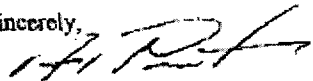
- The proposed rule ignores harmonization efforts between the FAA, the JAA, and the simulator industry. Considerable industry time and effort has been expended in assisting the FAA and the JAA to harmonize the standardization of qualification requirements for FSDs. As a result, Joint Aviation Regulation Synthetic Training Device (JAR STD) documents are in the process of being developed. The proposed FAR Part 60 rule should be withdrawn so that these harmonization efforts are incorporated.
- The FAA currently is revising Subparts N & O of FAR Part 121, which deal directly with crew training and the practical use of FSD. However, the NPRM overlaps and implicates training requirements, and thus it is impossible to determine the overall impacts of the NPRM until the training requirements of Subparts N & O are revised or clarified.
- The National Simulator Program office, or each responsible Training Program Approval Authority office, would have to be manned on a 24 hour/7 days per week basis to administer the proposed FAR Part 60 requirements in order to prevent unnecessary FSD downtime.
- The NPRM places a severe financial burden on U.S. airlines. Our analysis shows that the NPRM, if made final, would cost \$10 - \$12 million per year based on an average cost of \$18,000 per device per year for the 563 devices currently in inventory. By contrast, the NPRM estimates that the proposed rule will only cost the industry an additional \$74,010 per year. The NPRM's analysis fails to include important actual costs, such as additional manpower and the resources required to administer and operate simulators in conformance with the proposed rule. The cost of the NPRM is not justified by its benefits.

In addition to the points above, we have numerous technical concerns that have been submitted to the docket.

For these reasons, ATA recommends that the FAA immediately withdraw this NPRM. This would allow the FAA to immediately and openly engage with industry representatives, through an ARAC or ARC process, to develop an efficient, effective NPRM.

Thank you for your consideration.

Sincerely,



Albert H. Prest  
Vice President Flight Operations  
Air Transport Association

CC: Docket Management System, Reference: Docket Number FAA-2002-12461